

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PHYSICIANS COMMITTEE FOR
RESPONSIBLE MEDICINE,

Plaintiff,

v.

SAN FRANCISCO BAY AREA RAPID
TRANSIT DISTRICT,

Defendant.

Case No. [22-cv-03680-JSW](#)

**ORDER VACATING CASE
MANAGEMENT CONFERENCE AND
SCHEDULING TRIAL AND
PRETRIAL MATTERS**

Re: Dkt. No. 20

The Court has received and considered the parties' joint case management conference statement, and it VACATES the case management conference scheduled for September 23, 2022. IT IS HEREBY ORDERED that the Case Management Statement is adopted, except as expressly modified by this Order.

It is further ORDERED that:

A. DATES

Bench Trial Date: Monday, December 4, 2023, at 8:00 a.m., 3-5 days

Pretrial Conference: Monday, November 20, 2023, at 2:00 p.m.

The parties shall review this Court's guidelines for civil bench trials for pretrial filing deadlines and requirements.

Last Day to Hear Dispositive Motions: Friday, August 25, 2023, 9:00 A.M.

Because the parties intend to file cross-motions for summary judgment, they shall follow a four brief format, with Plaintiff filing opening motion. Defendant's opposition and cross-motion shall be filed three weeks after Plaintiff's motion. Plaintiff's opposition and reply shall be filed two weeks after Defendant files its cross-motion. Defendant's reply shall be filed one week after Plaintiff's reply. The parties shall ensure there are three weeks

1 **between the final reply and the hearing date.**

2 Last Day for Expert Discovery: June 23, 2023

3 Last Day for Rebuttal Expert Disclosure/Reports: June 2, 2023

4 Last Day for Expert Disclosure/Reports: May 12, 2023

5 Close of Non-expert Discovery: April 14, 2023

6 **B. DISCOVERY**

7 The parties are reminded that a failure voluntarily to disclose information pursuant to
8 Federal Rule of Civil Procedure 26(a) or to supplement disclosures or discovery responses
9 pursuant to Rule 26(e) may result in exclusionary sanctions. Thirty days prior to the close of non-
10 expert discovery, lead counsel for each party shall serve and file a certification that all
11 supplementation has been completed.

12 **C. ALTERNATIVE DISPUTE RESOLUTION**

13 The Court will not require the parties to engage in ADR at this time. It reserves the right
14 to revisit this issue as the case proceeds.

15 **D. PROCEDURE FOR AMENDING THIS ORDER**

16 No provision of this order may be changed except by written order of this Court upon its
17 own motion or upon motion of one or more parties made pursuant to Civil L. R. 7-1 upon a
18 showing of very good cause. A motion may take the form of a stipulation and proposed order
19 pursuant to Civil L.R. 7-1(a)(5) and Civil L.R. 7-12, but the parties may not modify the pretrial
20 schedule by stipulation without a Court order. If the modification sought is an extension of a
21 deadline contained herein, the motion must be brought before expiration of that deadline. A
22 conflict with a court date set after the date of this order does not constitute good cause. The parties
23 are advised that if they stipulate to a change in the discovery schedule, they do so at their own risk.
24 The only discovery schedule that the Court will enforce is the one set in this order.

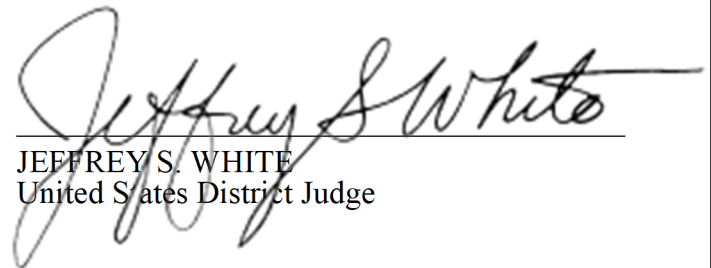
25 //

26 //

1 Additionally, briefing schedules that are specifically set by the Court may not be altered by
2 stipulation without a Court order; rather the parties must obtain leave of Court.
3

4 **IT IS SO ORDERED.**

5 Dated: September 19, 2022


JEFFREY S. WHITE
United States District Judge